



Order Filed on January 25, 2022
by Clerk
U.S. Bankruptcy Court
District of New Jersey

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

Caption in Compliance with D.N.J. LBR 9004-2(c)
**Robertson, Anschutz, Schneid, Crane &
Partners, PLLC**

Authorized Agent for Secured Creditor
130 Clinton Road, Lobby B, Suite 202
Fairfield, NJ 07004
Telephone: 973-575-0707
Facsimile: 973-404-8886

Shauna Deluca, Esq. (SD-8248)

In Re:

Barry W. Herbert,
Debtor.

JoAnn Herbert,
Joint Debtor.

Case No.: 20-15802-CMG

Chapter: 13

Hearing Date: January 19, 2022

Judge: Christine M. Gravelle

**INTERIM ORDER ON SECURED CREDITOR'S MOTION FOR RELIEF FROM THE
AUTOMATIC STAY**

The relief set forth on the following pages, numbered two (2) is hereby **ORDERED**.

DATED: January 25, 2022



Honorable Christine M. Gravelle
United States Bankruptcy Judge

Page 2

THIS MATTER having come before the Court on Secured Creditor's Motion for Relief from the Automatic Stay (the "Motion") filed by Robertson, Anschutz, Schneid, Crane & Partners, PLLC, attorneys for NewRez LLC d/b/a Shellpoint Mortgage Servicing (the "Secured Creditor") with respect to the real property commonly known as 10 Cartlidge Avenue, Trenton, NJ 08610 (the "Property"), and debtors Barry W. Herbert and JoAnn Herbert (the "Debtors"), by and through their counsel, Kevin C. Fayette, having opposed the Motion; and for good cause shown, it is ORDERED AND DECREED as follows:

1. The hearing on Secured Creditor's Motion, filed on November 18, 2021 at Docket Entry No. 33, is hereby adjourned to May 4, 2022 at 9:00 A.M.
2. The Debtors were previously approved of a COVID-19 Forbearance Agreement, and shall have ninety (90) days from the date of entry of this Order (the "Deadline") to apply for, and secure, a Partial Claim Modification with Secured Creditor.
3. Secured Creditor shall not demand the outstanding post-petition arrearages pending the Debtors' application for a Partial Claim Modification. However, should the Debtors fail to secure a Partial Claim Modification by the Deadline, or otherwise fail to comply with any of the provisions prescribed within this Order, the Debtors shall confer with Secured Creditor regarding a reasonable agreement to cure any existing post-petition arrears at that time. Should the Debtors fail to do so, the court shall enter an Order granting Secured Creditor Relief from the Automatic Stay.
4. The Debtors shall continue to maintain ongoing post-petition payments in the amount of \$1,169.06 directly to Secured Creditor while their application for a Partial Claim Modification is pending.

In re:
Barry W. Herbert
JoAnn Herbert
Debtors

Case No. 20-15802-CMG
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3
Date Rcvd: Jan 25, 2022

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 27, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ Barry W. Herbert, JoAnn Herbert, 10 Carlidge Avenue, Hamilton, NJ 08610-1602

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 27, 2022

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 25, 2022 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Kevin C. Fayette	on behalf of Joint Debtor JoAnn Herbert kfayette@kevinfayette.com
Kevin C. Fayette	on behalf of Debtor Barry W. Herbert kfayette@kevinfayette.com
Melissa N. Licker	on behalf of Creditor JPMorgan Chase Bank National Association mlicker@hillwallack.com, HWBKnewyork@ecf.courtdrive.com

District/off: 0312-3

User: admin

Page 2 of 2

Date Rcvd: Jan 25, 2022

Form ID: pdf903

Total Noticed: 1

Phillip Andrew Raymond

on behalf of Creditor JPMorgan Chase Bank National Association phillip.raymond@mccalla.com,
mccallaecf@ecf.courtdrive.com

Shauna M Deluca

on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING sdeluca@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8